

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

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2010 JAN -8 AM 11:00

PUBLIC EMPLOYMENT
RELATIONS COMMISSION**PETITION FOR INVESTIGATION OF
QUESTION CONCERNING REPRESENTATION**☐ Amended Petition in Case _____Instructions: www.perc.wa.gov/Forms/E-1-inst.pdf Applicable Rules: Chapters 10-08, 391-08 and 391-25 WAC.**1. PARTIES** The petitioner claims that a question concerning representation exists involving certain employees of the employer named below.**EMPLOYER** City of Warden**CONTACT PERSON** Rick Martin, Chief of Police**ADDRESS** 201 So. Ash Street**CITY, STATE, ZIP** Warden, WA, 98857**TELEPHONE** (509) 349-2022 ext. _____**FAX** _____**E-MAIL** rmartin@cityofwarden.org**ATTORNEY OR
REPRESENTATIVE** _____**ADDRESS** _____**CITY, STATE, ZIP** _____**TELEPHONE** _____ ext. _____**FAX** _____**E-MAIL** _____**PETITIONER** Warden Police Officers' Association**CONTACT PERSON** Mike Earney**ADDRESS** 201 S. Ash Street**CITY, STATE, ZIP** Warden, WA, 98857**TELEPHONE** (509) 760-1803 ext. _____**FAX** _____**E-MAIL** meaney@cityofwarden.org**ATTORNEY OR
REPRESENTATIVE** Patrick Emmal, Esq.**ADDRESS** Emmal Skalbania & Vinnedge, PSC3600 15th Ave. W., Suite 303**CITY, STATE, ZIP** Seattle, WA, 98119-1330**TELEPHONE** (206) 281-1770 ext. _____**FAX** (206) 281-1772**E-MAIL** office@unionlaw.org**INCUMBENT BARGAINING REPRESENTATIVE** *Indicate one.*

The parties are not currently represented for bargaining; OR



The employees involved are currently represented by the organization below:

ORGANIZATION Teamsters, Local 760**CONTACT PERSON** John Parks**ADDRESS** 1211 W. Lincoln Ave.**CITY, STATE, ZIP** Yakima, WA 98902-2535**TELEPHONE** (509) 452-7194 ext. _____**FAX** (509) 452-7354**E-MAIL** _____**ATTORNEY OR
REPRESENTATIVE** _____**ADDRESS** _____**CITY, STATE, ZIP** _____**TELEPHONE** _____ ext. _____**FAX** _____**E-MAIL** _____**2. DESIGNATION OF REQUEST** *Indicate one.***RECOGNITION REQUEST** The petitioner requests certification as exclusive representative of the bargaining unit.**CHANGE OF REPRESENTATIVE** The employees in the bargaining unit desire to designate the petitioner as their exclusive bargaining representative.**DECERTIFICATION** The employees in the bargaining unit no longer wish to be represented by any employee organization.**EMPLOYER PETITION - DEMAND FOR RECOGNITION** The employer has been presented with one or more demands for recognition (per attached documentation) and requests a determination by the Commission.**EMPLOYER PETITION - INCUMBENCY QUESTIONED** The employer has a good faith belief (per attached documentation) that a majority of employees no longer desire to representation by the incumbent bargaining representative.**4. OTHER RELEVANT FACTS** *Indicate one.*

Additional information is set forth on separate sheets of paper attached to this petition.

5. SHOWING OF INTEREST

A petition filed by an organization or employees must be accompanied by a showing of interest indicating that the petitioner has the support of 30% or more of the employees in the bargaining unit.

3. BARGAINING UNIT**EMPLOYER'S PRINCIPAL BUSINESS** Municipal Government**DEPARTMENT OR DIVISION INVOLVED** Police Department**COLLECTIVE BARGAINING AGREEMENT** *Indicate one.*☐ The parties have never had a contract; OR☒ A copy of the parties' current (or most recent) collective bargaining agreement is attached.**NUMBER OF
EMPLOYEES
IN UNIT** 3**DESCRIPTION** *Indicate inclusions, exclusions, contract page or case/decision number.*

1.01 - "... all full-time and regular part time uniformed employees of the City of Warden, excluding supervisors, confidential employees and all other employees."

6. AUTHORIZED SIGNATURE FOR PETITIONER**PRINT NAME** Pat Emmal**TITLE** Attorney**SIGNATURE** Pat Emmal**DATE** 1-4-10

EMMAL SKALBANIA & VINNEDGE
ATTORNEYS AT LAW
A PROFESSIONAL SERVICE CORPORATION

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PUBLIC EMPLOYMENT
RELATIONS COMMISSION

January 7th, 2010

Cathleen Callahan, Executive Director
Public Employment Relations Commission
PO Box 40919
Olympia, WA 98504-0919

**Re: City of Warden / Warden Police Officers Association / Teamsters, Local 760 –
Petition for investigation of question concerning representation.**


Dear Ms. Callahan:

Please see the enclosed PETITION FOR INVESTIGATION OF QUESTION CONCERNING REPRESENTATION to be filed with the Commission, respectfully submitted on behalf of the Warden Police Officers Association on January 7th, 2010.

Thank you for your assistance in this matter.

Sincerely,

EMMAL SKALBANIA & VINNEDGE
Attorneys for the Association



Matt Smith

Enclosures

CC: Rick Martin (w/ enc.)
Mike Earney (w/ enc.)
John Parks (w/ enc.)

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The undersigned hereby certifies that on the 7th day of January 2010, he served the original attached PETITION FOR INVESTIGATION OF QUESTION CONCERNING REPRESENTATION via email and by depositing same in the United States Mail postage prepaid, addressed to:

Public Employment Relations Commission
112 Henry Street NE, Suite 300
PO Box 40919
Olympia, WA 98504-0919
filing@perc.wa.gov

with copies via email and first class mail, postage prepaid, addressed to:

City of Warden
c/o Rick Martin, Chief of Police
201 So. Ash Street
Warden, WA 98857
rmartin@cityofwarden.org

Warden Police Officers Assoc.
c/o Mike Earney
201 S. Ash Street
Warden, WA 98857
mearney@cityofwarden.org

with a copy via fax and first class mail, postage prepaid, addressed to:

Teamsters, Local 760
c/o John Parks
1221 W. Lincoln Ave.
Yakima, WA 98902-2535
(509) 452-7194

I certify under penalty of perjury under the laws of the State of Washington the above and foregoing is true and correct to the best of my knowledge.

Dated this 7th day of January 2010.


Matthew Smith